

## **STATEMENT OF BASIS, PURPOSE, SUBSTANCE, ISSUES AND ESTIMATED IMPACT**

### **BASIS OF THE REGULATIONS**

The regulations are authorized and mandated by Sections 35.1-11 and 35.1-13 of the *Code of Virginia*. The code requires the regulations to provide minimum standards for the following: food preparation and handling; physical plant sanitation; the provision, storage, and cleaning of linens and towels; general housekeeping and maintenance practices; requirements for approved water supply and sewage disposal systems; vector and pest control; swimming pools, saunas, and other facilities, including personnel standards for the operation thereof, ice machines and dispensers of perishable food items; and procedures for obtaining a license.

### **PURPOSE OF THE REGULATIONS**

The purpose of the regulations is to ensure that tourists and overnight guests have safe and sanitary lodging accommodations while traveling in the Commonwealth. These regulations provide minimum standards for, but not limited to the following: food preparation and handling; physical plant sanitation; the provision, storage, and cleaning of linens and towels; general housekeeping and maintenance practices; requirements for approved water supply and sewage disposal systems; vector and pest control; swimming pools, saunas, and other facilities, including personnel standards for the operation thereof, ice machines and dispensers of perishable food items; and procedures for obtaining a license. The minimum standards in the regulations, when followed, will protect the lodging public's health, safety and welfare.

### **SUBSTANCE OF THE REGULATIONS**

The proposed regulations are updated from the existing regulations that were effective in 1965. The most important revision to the regulations is the removal of the requirement for a minimum annual inspection of hotels. Over the years market competition has nearly made the hotel industry self-regulating. However, there remains a need to identify minimum standards for hotel sanitation.

The regulations include a requirement for automatic ice dispensing machines as opposed to common ice bins. This will prevent contamination of the ice, whether intentional or unintentional, by other guests. Hotels will have two years after the adoption of the regulations to convert to automatic ice dispensing machines. Most hotels have already switched to automatic ice machines.

## ISSUES OF THE REGULATIONS

The primary advantage of the regulations is that they set forth standards for sanitary maintenance of hotels. The public expects their hotel rooms to be clean and sanitary. These regulations are less intrusive than the previous regulations but they still prescribe minimum acceptable sanitary standards for hotels. Tourism is a major industry in Virginia and it is important that hotels provide healthy and sanitary accommodations for the lodging public. These regulations also give the local health department the freedom to concentrate their resources on programs and facilities that need more thorough scrutiny. There are no disadvantages to the regulations.

## ESTIMATED IMPACT

The Department anticipates little or no negative budgetary impact with these regulations. The Department has been conducting inspections of hotels and lodging facilities for many years. With the General Assembly's 1996 amendment to Section 35.1-22, the Department is no longer required to inspect hotels annually. This allows the Department discretion in determining a meaningful inspection frequency that focuses more on the establishments that are not clean and sanitary while spending very little time in those establishments that continually perform well. This also allows local health departments to focus resources on higher priority public health programs and functions.

The hotel industry should not be adversely impacted by the regulations. They participated in the drafting of the regulations and they support their amendment. Most hotels have already switched to automatic ice dispensing machines so the new requirement for them should not be an issue for the industry. The few remaining hotels that still use common ice bins and scoops will have two years from the effective date of the regulations to convert to automatic ice dispensing machines.